

Entered - 05/18/01 - sb  
CL01L0319 - DIANNE C. MITCHELL

CLAIM OF: JULIA A. BATTLE  
6550 Courtney Drive  
Winston Georgia 30187

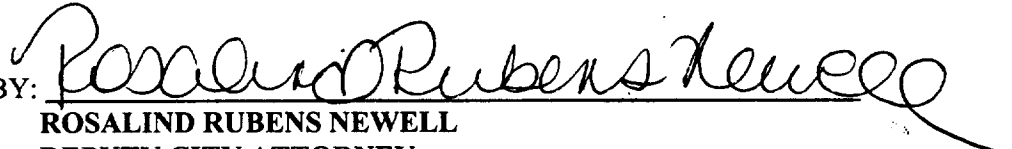
01-*R*-0908

For damages alleged to have been sustained as a result of a vehicular accident on April 25, 2001 at 3565 Martin Luther King, Jr. Drive.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **JULIA A. BATTLE** the sum of **\$562.18** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on April 25, 2001 at 3565 Martin Luther King, Jr. Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

## FAVORABLE REPORT

COMM: Public Safety

DATE: 6/12/01

CHAIR: C. T. Myrtin

Chela Anderson

[Signature]

[Signature]

Dany Abdul

[Signature]

[Signature]

[Signature]

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0319

Date: May 31, 2001

Claimant /Victim JULIA A. BATTLE

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 6550 Courtney Drive, Winston, Georgia 30187

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 562.18 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 05/15/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/25/01 Place: 3565 Martin Luther King, Jr. Drive

Department Police Division: \_\_\_\_\_

Employee involved Derek Williams Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle struck the claimant's parked vehicle while he was backing out of a parking space causing damages in the above amount.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

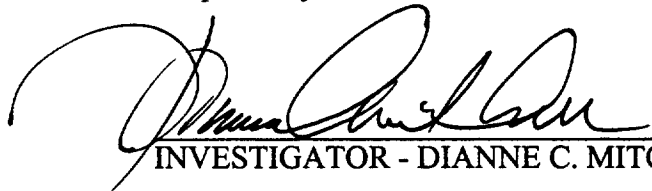
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

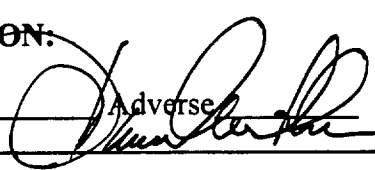
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 562.18 Adverse X Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 06/01/01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERKCity Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 5-9-01ENTERED - 5-18-01 - SB  
01L0319 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 562.18 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 04-25-01 (month/day/year) 2. Time of Incident: 1400 3. Police called: ☒ Yes ☐ No
4. Location of incident (including street address): 3565 M.L. King Jr. Dr. SW, At. GA 30331
5. Name of your insurance company: Allstate Policy No. 015528614 01/23
6. State what and how incident occurred: city employee in city patrol vehicle struck the right front bumper of parked vehicle while backing out of a parking space in front of Collier Heights mini-precinct.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).  
Your vehicle: Ford Windstar 2001 495CPD Parked  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: Ford Crownvic Derek Williams City of Atlanta Police  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: J.R. Brown-Toney 3565 M.L. King Jr Dr. SW (404) 505-3131  
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE  
INFORMATION IS TRUE AND CORRECT.Julia A. Battle  
Signature of ClaimantJulia A. Battle  
(Print Claimant's Name)6550 Courtney Dr.  
(Address)Winston, GA 30187  
(City, State and Zip Code)(404) 505-3131 (770) 949-1478  
(Work Number) (Home Number)

## GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0319

**\$ 562.18**

IN CONSIDERATION of the sum of FIVE HUNDRED SIXTY-TWO AND 18/100  
           DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
 acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
 discharge said City, its officers and employees, including but not limited to Derek Williams, from any and all  
 claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or  
 on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 25th day of April, 2001

at or near 3565 Martin Luther King, Jr. Drive

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 5 day of June, 2001.

*Julia A. Battle* (LS)  
JULIA A. BATTLE

The above release was read and explained to, and signed by the said Julia A. Battle

in our presence on the date above written.

\_\_\_\_\_ in our presence on the date above written.  
*Cecily J. Brown-Jones*  
 \_\_\_\_\_  
*SP M & D*  
 \_\_\_\_\_  
 WITNESSES

01- *R* -0908

71-8-0908